

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PAINTERS DISTRICT COUNCIL NO. 2,)
et al.,)
)
Plaintiffs,)
)
)
vs.) Cause No. 4:07CV01046 RWS
)
)
DART DEVELOPMENT, LLC.,)
)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs' Motion for Contempt. Plaintiffs have requested the Court's intervention because of Defendant's failure to comply with an order of this Court.

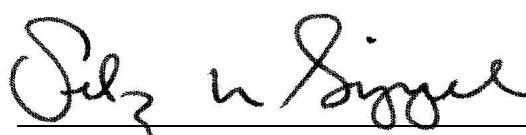
Defendant was served with this lawsuit but has never entered an appearance in this matter. I entered an order on October 24, 2007, requiring Defendant to submit its books, records and outstanding fringe benefit reports to Plaintiffs within twenty (20) days for review and copying. Defendant has failed and refused to comply with that order. On December 19, 2007, Plaintiffs filed a motion for contempt based on Defendant's failure to comply with my order of October 24, 2007. On December 21, 2007, I issued an order setting a hearing of the motion for contempt on January 11, 2008. Plaintiff sent a copy of this order to Defendant. The hearing was held on January 11, 2007 but Defendant failed to appear.

The Defendant is therefore in civil contempt of this Court.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Contempt [#9] is **GRANTED**.

IT IS FURTHER ORDERED that Defendant will appear before this Court, in Courtroom 10 South, on **Thursday, January 24, 2008, at 2:00 p.m.**, and submit its books, records and outstanding fringe benefit reports to Plaintiffs' attorneys for review and copying. Should Defendant fail to appear before this Court on January 24, 2008, at 2:00 p.m., this Court may issue a Writ of Body Attachment and such other relief the Court deems necessary. Plaintiffs' counsel shall serve a copy of this order upon Defendant.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 15th day of January, 2008.